

### **REMARKS**

Claims 1-8 are pending. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

#### ***Claim Rejections Under 35 U.S.C. § 103***

Claims 1-8 were rejected under 35 U.S.C. § 102(e) over Stott et al. (U.S. Patent No. 6,320,917) in view of Yamada et al. (U.S. Publication No. 2002/0051487). Applicants respectfully traverse this rejection.

Claim 1 recites, in part, a synchronization system that includes a converter for receiving signals from a transmitter, and oversampling a single symbol interval into a plurality of subsamples and a signal processor for classifying each symbol oversampled by the converter into a subsample group according to a sample phase, and performing signal processing to adjust processing speeds.

In contrast, Stott discloses an apparatus for demodulating digital video (i.e., television) broadcast signals. Although Stott discloses an analog to digital converter 20 for sampling an IF signal with a frequency of 4.57MHz at a frequency of 18.29 MHz, Stott does not teach or even suggest, oversampling a single symbol interval into a plurality of subsamples, as recited in claim 1. Specifically, in claim 1, a single symbol interval is received and oversampled, the oversampled symbol interval is divided into a plurality of subsamples and the subsamples are classified into groups. Although the Office Action alleges that column 5 of Stott discloses these features of claim 1, Applicants respectfully disagree. Specifically, column 5 of Stott merely discloses analog to digital conversion. Yamada fails to remedy at least these deficiencies of Stott.

Additionally, as admitted in the Office Action, on page 3, Stott fails to teach or suggest a timing selector for selecting an optimal symbol synchronization point from among values output by the integrator, generating a symbol timing signal and outputting it. The Office Action alleges that Yamada discloses this feature and further alleges that the combination of Yamada with Stott would have been obvious. Applicants respectfully disagree. The mere existence of the claim limitations in two or more prior art references used to construct the obviousness argument is not sufficient to prove obviousness if the art does not present a suggestion to one of ordinary skill in the art to combine the references. See *Heidelberger Druckmaschinen AG v. Hantscho Commercial Prods., Inc.*, 21 F.3d 1068, 1072, 20 USPQ2d 1377, 1379 (Fed. Cir. 1993) ("When

the patented invention is made by combining known components to achieve a new system, the prior art must provide a suggestion or motivation to make such a combination."); *Northern Telecom, Inc. v. Datapoint Corp.*, 908 F.2d 931, 934, 15 USPQ2d 1321, 1323 (Fed. Cir. 1990) (it is insufficient that prior art shows similar components, unless it also contains some teaching, suggestion, or incentive for arriving at the claimed structure). Accordingly, there must be some reason, free from the influence of hindsight, for combining the prior art references to render the claimed invention, as a whole, obvious. See *Rockwell Int'l v. U.S.*, 147 F.3d 1360, 1364 (Fed. Cir. 1998); *W. L. Gore & Associates, Inc., v. Garlock, Inc.*, 721 F.2d 1540, 1551 (Fed. Cir. 1983). There is no such suggestion in either Yamada or Stott.

No proper combination of Stott and Yamada teach or suggest a timing selector for selecting an optimal symbol synchronization point from among values output by the integrator, generating a symbol timing signal and outputting it, as recited in claim 1 since Stott is concerned with television broadcasts and Yamada is concerned with adaptive equalization in mobile communications.

Accordingly, the combination of Stott and Yamada fails to teach or suggest a synchronization system that includes a converter for oversampling a single symbol interval into a plurality of subsamples and a signal processor for classifying each symbol oversampled by the converter into a subsample group according to a sample phase, and performing signal processing to adjust processing speeds, as recited in claim 1.

Claim 5 is believed allowable for at least the same reasons presented above with respect to claim 1 since claim 5 recites features similar to those of claim 1 discussed above.

Claims 2-4 and 6-8 are believed allowable for at least the same reasons presented above with respect to claims 1 and 5 by virtue of their dependence upon claims 1 and 5. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.


### **Conclusion**

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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